

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
VALENTIN REID, on behalf of himself and all others similarly situated,
_____,
Plaintiff(s)

**AFFIRMATION IN SUPPORT
OF REQUEST FOR
CERTIFICATE OF DEFAULT**

-against-

19 CV 08272

(LGS)

PHONEPOWER, INC.
_____,
Defendant(s).

-----X
VALENTIN REID hereby declares as follows:

1. I am the plaintiff in this action.
2. This action was commenced pursuant to 28 U.S.C. 1331 and 42 U.S.C. 12181.
3. The time for defendant(s), PHONEPOWER, INC., to answer or otherwise move with respect to the complaint herein has expired.
4. Defendant(s), PHONEPOWER, INC., has not answered or otherwise moved with respect to the complaint, and the time for defendant(s) PHONEPOWER, INC. to answer or otherwise move has not been extended.
5. That defendant(s) PHONEPOWER, INC. is not an infant or incompetent. Defendant(s) PHONEPOWER, INC. is not presently in the military service of the United States as appears from facts in this litigation.

WHEREFORE, plaintiff VALENTIN REID requests that the default of defendant(s) PHONEPOWER, INC. be noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to plaintiff, and that no part thereof has been paid.

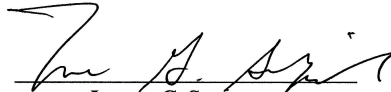
Plaintiff's default judgment submissions above (at Dkt. No. 12) do not comply with the Individual Rules, Attachment A, available at https://nysd.uscourts.gov/sites/default/files/practice_documents/LGS%20Individual%20Rules%20Civil%20%28updated%2011.12.2019%29.pdf.

Among other things, Plaintiff needs to obtain a Certificate of Default from the Clerk's Office rather than just file a proposed Certificate (at Dkt. No. 12-1), and file the proposed Order to Show Cause and proposed Default Judgment Order, along with the supporting materials, listed in Attachment A.

Plaintiff's time to file these materials is extended *nunc pro tunc* from November 22, 2019, to December 10, 2019. SO ORDERED.

The Clerk of Court is respectfully directed to close Dkt. No. 12.

Dated: December 2, 2019
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dated: 11/14/19

By: /s/ David Force
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